

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

J.K., by his next friend and parent D.K.,        )  
    )  
Plaintiffs    )  
    )  
v.    ) Civil No. 14-2  
    )  
NEW BRIGHTON SCHOOL DISTRICT,                    )  
    )  
Defendant    )

**O R D E R**

AND NOW, this 24th day of September, 2015, upon consideration of Defendant New Brighton School District's Motion for Summary Judgment (Doc. No. 27) and brief and statement of facts in support thereof (Doc. Nos. 28, 29, and 30), filed in the above captioned matter on November 14, 2014, and in further consideration of Plaintiffs' responses thereto (Doc. Nos. 33 and 34), filed on December 29, 2014, and in consideration of Defendant's replies (Doc. Nos. 35 and 36), both filed on January 12, 2015,

IT IS HEREBY ORDERED that said Motion is GRANTED IN PART and DENIED IN PART for the reasons set forth in the Court's Memorandum Opinion filed herewith. Specifically, it is granted to the extent that it seeks dismissal of the case for lack of subject matter jurisdiction and denied to the extent that it seeks an entry of summary judgment. Accordingly, this Court having no jurisdiction to adjudicate Plaintiffs' claims, this case is DISMISSED WITHOUT PREJUDICE TO PLAINTIFFS' RIGHT TO SEEK APPROPRIATE ADMINISTRATIVE RELIEF.

s/Alan N. Bloch  
Alan N. Bloch  
United States District Judge

ecf: Counsel of Record